

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

INGENICO INC.,
Plaintiff,

v.

IOENGINE, LLC,
Defendant.

C.A. No. 18-826-CFC

IOENGINE, LLC,
Counterclaim Plaintiff,

v.

INGENICO INC.,
INGENICO CORP., and
INGENICO GROUP SA,
Counterclaim Defendants.

JURY TRIAL DEMANDED

**DECLARATION OF GREGORY T. CHUEBON IN SUPPORT OF IOENGINE, LLC'S
ANSWERING BRIEF IN OPPOSITION TO THE
INGENICO DEFENDANTS' MOTION TO DISMISS**

I, Gregory T. Chuebon, declare as follows:

1. I am an attorney with the law firm Dechert LLP, counsel for IOENGINE, LLC in the above captioned Civil Action No. 18-826-CFC. Except as otherwise indicated, I have personal knowledge of the facts set forth in this Declaration in Support of IOENGINE, LLC's Answering Brief in Opposition to the Ingenico Defendants' Motion to Dismiss.

2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the Ingenico Group SA 2016 Registration Document Including the Annual Financial Report,

available at https://www.ingenico.com/binaries/content/assets/corporate-en/finance/registration-documents/registration_document_2016-en.pdf (last accessed Oct. 23, 2018).

3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from Ingenico Group SA 2017 Registration Document Including the Annual Financial Report, available at https://cdn.ingenico.com/binaries/content/assets/corporate-en/finance/registration-documents/ingenico_registration-document-2017.pdf (last accessed Oct. 23, 2018).

4. Attached hereto as Exhibit 3 are true and correct copies of the “[o]ffice locations” websites available at <https://www.ingenico.com/contact-us/offices> and <https://www.ingenico.com/contact-us/offices/countries/united-states.html?query=location.us> (last visited Oct. 23, 2018).

5. Attached hereto as Exhibit 4 is a true and correct copy of the website available at <https://www.ingenico.com/about-ingenico-group/about-us/executive-committee/philippe-lazare.html> (Ingenico Group, Philippe Lazare) (last visited Oct. 23, 2018).

6. Attached hereto as Exhibit 5 is a true and correct copy of Georgia Corporations Division (Feb. 28, 2017), Ingenico Corp. (DE) 2017 State of Georgia Foreign Profit Corporation Registration.

7. Attached hereto as Exhibit 6 is a true and correct copy of Georgia Corporations Division (Feb. 15, 2018), Ingenico Inc. (GA) 2018 State of Georgia Domestic Profit Corporation Registration.

8. Attached hereto as Exhibit 7 is a true and correct copy of the website available at <https://www.ingenico.com/about-ingenico-group/about-us/executive-committee/jacques-guerin.html> (Ingenico Group, Jacques Guérin) (last visited Oct. 23, 2018).

9. Attached hereto as Exhibit 8 is a true and correct copy of Press Release, Ingenico Group, Jennifer Miles as Executive Vice President North America for Ingenico Group (Jan. 11, 2018), *available at*: <https://www.ingenico.com/press-and-publications/press-releases/finance/2018/01/jennifer-miles-as-executive-vice-president-north-america-for-ingenico-group.html> (last visited Oct. 23, 2018).

10. Attached hereto as Exhibit 9 is a true and correct copy of the website available at <https://www.ingenico.com/about-ingenico-group/about-us/executive-committee/jennifer-miles.html> (Ingenico Group, Jennifer Miles) (last visited Oct. 23, 2018).

11. Attached hereto as Exhibit 10 is a true and correct copy of the public LinkedIn profile for Jennifer Miles, available at <https://www.linkedin.com/in/milesjennifer/> (last visited Oct. 23, 2018).

12. Attached hereto as Exhibit 11 is a true and correct copy of the Ingenico Group, Executive Committee website, available at <https://www.ingenico.com/about-ingenico-group/about-us/executive-committee> (last visited Oct. 23, 2018).

13. Attached hereto as Exhibit 12 is a true and correct copy of Ingenico Group, Management Team – North America website, available at <https://ingenico.us/about-ingenico-group/management-team> (last visited Oct. 23, 2018).

14. Attached hereto as Exhibit 13 is a true and correct copy of the website available at <https://ingenico.us/about-ingenico-group/management-team/david-szczepanski.html> (Ingenico Group, David Szczepanski) (last visited Oct. 23, 2018).

15. Attached hereto as Exhibit 14 is a true and correct copy of the Bloomberg, Executive Profile website for David Szczepanski, available at <https://www.bloomberg.com/research/stocks/private/person.asp?personId=222785551&privcapI>

d=79687646&previousCapId=79687646&previousTitle=ROAM%20Data,%20Inc (last visited Oct. 23, 2018).

16. Attached hereto as Exhibit 15 is a true and correct copy of Georgia Corporations Division (Feb. 15, 2018), Ingenico Corp. (DE) 2018 State of Georgia Foreign Profit Corporation Registration.

17. Attached hereto as Exhibit 16 is a true and correct copy of pages excerpted from Jabil Inc.'s Annual Report (Form 10-K), at 2 (Oct. 19, 2017).

18. Attached hereto as Exhibit 17 is a true and correct copy of the website available at <https://ingenico.us/about-ingenico-group/partners/distribution> (Ingenico Group, Distribution Partners) (last visited Oct. 23, 2018).

19. Attached hereto as Exhibit 18 is a true and correct copy of the website available at <https://www.ingenico.com/disclaimer> (Ingenico Group, Disclaimer) (last visited Oct. 23, 2018).

20. Attached hereto as Exhibit 19 is a true and correct copy of information regarding the trademarks:

- (a) INGENICO, Registration No. 3,906,865, Trademark Status & Document Retrieval (TSDR), United States Patent and Trademark Office, available at http://tsdr.uspto.gov/#caseNumber=79069770&caseType=SERIAL_NO&searchType=statusSearch;
- (b) INGENICO, Registration No. 4,770,850, Trademark Status & Document Retrieval (TSDR), United States Patent and Trademark Office, available at http://tsdr.uspto.gov/#caseNumber=4,770,850&caseSearchType=US_APPLICATION&caseType=SERIAL_NO&searchType=statusSearch; and

- (c) and TELIUM, Registration No. 3,899,323, Trademark Status & Document Retrieval (TSDR), United States Patent and Trademark Office, available at http://tsdr.uspto.gov/#caseNumber=3,899,323&caseSearchType=US_APPLICATION&caseType=SERIAL_NO&searchType=statusSearch.

21. Attached hereto as Exhibit 20 is a true and correct copy of Press Release, Ingenico Group, Ingenico Group Reveals Next-Generation of its Mobile PIN Pad Card Reader (Nov. 14, 2017), available at: <https://www.ingenico.com/press-and-publications/press-releases/all/2017/11/ingenico-group-reveals-next-generation-of-its-mobile-pin-pad-card-reader.html> (last visited Oct. 23, 2018).

22. Attached hereto as Exhibit 21 is a true and correct copy of Press Release, Ingenico Group, Ingenico Group Launches First-of-its-Kind Enterprise-Class mPOS Solution (Oct. 24, 2016), available at: <https://www.ingenico.com/press-and-publications/press-releases/all/2016/10/first-of-its-kind-enterprise-class-mpos-solution.html> (last visited Oct. 23, 2018).

23. Attached hereto as Exhibit 22 is a true and correct copy of pages excerpted from International Financial Reporting Standards Foundation, IFRS 10 – Consolidated Financial Statement (2016).

24. Attached hereto as Exhibit 23 is a true and correct copy of Press Release, Ingenico Group, Ingenico Group now owns 100% of Mobile Payments Leader ROAM (Jan. 20, 2015), available at: <https://www.ingenico.com/press-and-publications/press-releases/all/2015/01/20150120-ingenico-group-owns-100-roam.html> (last visited Oct. 23, 2018).

25. Attached hereto as Exhibit 24 is a true and correct copy of Press Release, Ingenico Group, ROAM Expands its mPOS Channel Strategy in the U.S. through Partnership

with EVO Payments International (Apr. 8, 2014), available at: <https://www.ingenico.com/press-and-publications/press-releases/all/2014/04/roam-expands-its-mpos-channel-strategy-in-the-u.s.-through-partnership-with-evo-payments-international.html> (last visited Oct. 23, 2018).

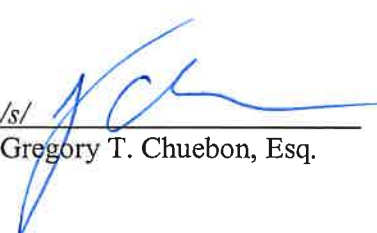
26. Attached hereto as Exhibit 25 is a true and correct copy of the website available at <https://www.ingenico.com/about-ingenico-group/people/careers?query=&startDate=&endDate=&filter=&pageNumber=2> (Ingenico Group, Careers) (last visited Oct. 23, 2018).

27. Attached hereto as Exhibit 26 is a true and correct copy of pages excerpted from the Ingenico Group SA 2014 Registration Document Including the Annual Financial Report, available at: <https://www.ingenico.com/binaries/content/assets/corporate-en/finance/registration-documents/20150323-registration-document-ingenico-group.pdf> (last accessed Oct. 23, 2018).

28. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 24th day of October, 2018 in New York, New York.

/s/


Gregory T. Chuebon, Esq.